

Application No.: 10/611,473
Amendment Dated September 29, 2008
Reply to Official Action of May 27, 2008

Amendments to the Drawings

The replacement drawing sheet included in the Appendix attached at the end of this Amendment is intended to replace Sheet 3. The replacement sheet corrects a typographical error in numbering.

REMARKS

The present Amendment is filed in response to the Official Action dated May 27, 2008. The Official Action rejected all of the independent claims (and various dependent claims) under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0221230 to Dutta *et al.* ("*Dutta*").

As an initial matter, Applicants thank the Examiner for the courtesies extended to Applicants' representative during a telephone interview conducted on August 12, 2008. By this Amendment, Claims 1, 13, 18, and 20 have been amended, and Claims 21-24 have been added. Further, this Amendment includes several amendments to the specification and a replacement drawing sheet, both of which are intended to correct an inconsistency in the numbering of elements in the figures and the specification caused by a typographical error. Consideration of all of the pending claims in view of the preceding amendments and following remarks is respectfully requested.

I. Claim Rejections

Considering independent Claim 1, this claim reads as follows:

1. A method of processing an image, said method comprising:
digitizing the image to obtain Bayer data;
processing the Bayer data to obtain image data; and
extracting raw data from the image data.

Independent Claims 13 and 19 both respectively include recitations of "a data extractor for extracting raw data from the image file/data." As an example, the present application indicates that "... telephone module 500 also includes a Bayer data extraction module 540 for extracting Bayer data, that is, for extracting raw data from the RGB or YUV data." *See* ¶ [0036] of the published application.

Dutta generally discloses a mobile camera telephone, as well as a method for using such a device to record an image. At one point, *Dutta* describes Fig. 3 (to which the present Official Action refers, as discussed below), stating (*see* ¶ [0019]):

The application processor 26 processes the [Bayer] data 11 using special image processing capabilities, provided by the camera image processing block 26b, to produce image data 13. The application processor 26 includes the central processing unit (CPU) block 26a of the telephone, which controls the operations of the telephone and, in particular, the input, output and the user applications available on the telephone. The application processor 26, for example, controls memory devices such as SDRAM 2 and multimedia memory card 4, to which image data 13 can be stored. It also gives some control to the digital baseband circuitry 6 which may be used to process telecommunications made via the telephone 10.

To rephrase the above passage, ¶ [0019] of *Dutta* teaches the production of image data through processing Bayer data. Neither ¶ [0019] nor any other portion of *Dutta* discloses extracting raw or Bayer data from image data, as recited, in one form or another, in each of the independent claims. Our previous response argued as much, and in response, the present Official Action now states (*see* p. 2) that

Examiner respectfully disagree with the applicant , the raw data 11 in Fig.3 is directed to image processing block 26b in camera image processing in mobile phone processor, however when you transmitting any kind of digital data for processing , the data first need to be stored in some kind of storage such as element 2 or 4 in Fig.3. however Dutta does not specifically point to storing of data 11, therefore storage of raw data 11 is inherent in mobile phone processor, further see Para.17 "a camera image processing block 26b that operates as a camera image processor and interfaces 26c to storage devices SDRAM 2 and memory card 4" this corresponds to extracting the raw data such as data 11 from the storage devices 2 and 4).

The above statement from the Official Action is unrelated to our prior argument that *Dutta* does not teach extracting raw or Bayer data from image data. Whether or not the assertion in the Official Action that "storage of raw data 11 is inherent in mobile phone processor . . ." is

correct, there is no teaching in *Dutta*, and no technical requirement generally, that any (potentially) stored raw image data is or need ever be extracted from image data. Further, there is no technical prohibition on storing raw image data for subsequent processing, such that the storage of image-related data (in some form) followed by processing of corresponding raw image data implies that the raw data must have been extracted from image data prior to processing. Overall, the fact that the image-related data of *Dutta* may be stored before processing (as asserted by the Examiner) would seem to have no bearing on the issue of whether raw data is ever extracted from image data. Applicants note that during the interview of August 12, 2008, the Examiner generally agreed that “extracting,” as used in the present application, is different from “retrieving” data from a storage device.

The Official Action also states (*see* p. 2, emphasis added)

... “a camera image processing block 26b that operates as a camera image processor and interfaces 26c to storage devices SDRAM 2 and memory card 4” this corresponds to extracting the raw data such as data 11 from [sic] the storage devices 2 and 4.

Applicants respectfully submit that this statement is technically erroneous. That is, there is no correspondence between (i) the interfacing of an image processor and a memory and (ii) the extraction of raw data from image data.

For at least the above reason, Applicants respectfully submit that independent Claims 1, 13, and 19, and the claims respectively depending therefrom (including new Claims 23 and 24), are patentable over *Dutta*.

II. New Claims

Newly-added independent Claim 21 is directed to an apparatus comprising (i) an interface for receiving image data created from digitized Bayer data associated with a captured image from an image capturing device, and (ii) a data extractor for extracting raw data from the image data. This claim is supported by the specification at least to the extent that Claim 19 is so supported. As discussed above, *Dutta* does not teach or suggest “a data extractor for extracting raw data from . . . image data” as recited by Claim 21. For at least this reason, Applicants

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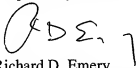
respectfully submit that new Claim 21, and new Claim 22 depending therefrom, is patentable over *Dutta*.

CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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